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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,210	01/09/2006	Hans-Joachim Beck	2003P09791WOUS	7538

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SIEMENS CORPORATION  
INTELLECTUAL PROPERTY DEPARTMENT  
170 WOOD AVENUE SOUTH  
ISELIN, NJ 08830

EXAMINER
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PROCTOR, JASON SCOTT

ART UNIT	PAPER NUMBER
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2123

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04/21/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/564,210	<b>Applicant(s)</b> BECK, HANS-JOACHIM	
	<b>Examiner</b> Jason Proctor	<b>Art Unit</b> 2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 10-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/9/06</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

Claims 1-9 are cancelled and new claims 10-18 are presented by preliminary amendment filed on 9 January 2006. Claims 10-18 are pending in this application.

Claims 10-18 are rejected.

#### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the method of claims 10-13 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the

renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to because they omit suitable descriptive legends for the various numbered boxes, as may be required by the Examiner as per 37 CFR 1.83(o). The nature of the invention cannot be discovered by viewing the drawings. A descriptive legend or descriptive labels for each box is required.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will

be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. § 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 13 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 13 recites the limitation "the user request" in line 4. There is insufficient antecedent basis for this limitation in the claim. Claim 13 is presumed to properly depend from claim 11 for the purposes of examination in the remainder of this Office Action.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 10-18 are rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 6,298,319 to Heile et al. (hereafter referred to as Heile).

Regarding claim 10, Heile discloses:

A method of designing or configuring a project representing automation equipment for controlling a plant [*As used herein, “electronic design” refers to a design for circuit boards and systems including multiple electronic devices and multi-chip modules, as well as integrated circuits. For convenience, the following discussion will generally refer to “integrated circuits”, or to “PLDs”, although the invention is not so limited.*” (column 4, line 64, et seq.)], the method comprising:

Storing project design blocks in a library of a memory unit assigned to an engineering system, the memory unit connected to a programming device of the engineering system, the programming device configured to store copies of such project design blocks required for designing or configuring the project [*“A project includes a project file, design files, assignment files, and simulation files, together with hierarchy information, system settings, and output files, which includes programming files and report files. A project database may also exist, which contains intermediate data structures and version information.”* (column 5, lines 40-47)];

Saving references on the programming device, the references indicating which project design blocks are to be copied [*“By way of example, in one embodiment, a local work space is a given engineer’s view of the state of the PLD design project and includes a directory where all local source files are stored, and a view of the project database showing the processing operation results for those set of source files... When version control of files is enabled, there is also a global work space that is different from the work space for each user. The global work space can, for example, use a central project database directory as the directory that contains the last officially checked in version of all source files, and the last officially checked in version of processing operation results for those files”* (column 8, line 62, et seq.)];

Copying the design blocks to be copied based on the references, by the engineering system [*“Because processing results 122 reflect results due to modification of file D’, it is preferable that any locally modified files such as the file D’ be placed back into the global source files 110 whenever processing results 122 replace the basis in the global work space.”* (column 11, lines 13-30)];

Transferring the copied design blocks to the programming device, by the engineering system (column 11, lines 13-30); and

Storing the transferred design blocks on the programming device [*“The global work space can, for example, use a central project database directory as the directory that contains the last officially checked in version of all source files, and the last officially checked in version of processing operation results for those files”* (column 8, line 62, et seq.)].

Regarding claim 11, Heile discloses that the programming device has at least one of the project design blocks required for designing or configuring the project before the copied design blocks are transferred, the method further comprising:

Comparing a software version of the at least one project design block to a software version of a corresponding project design block stored in the library and replacing upon a user request the at least one project design block with a copy of the corresponding project design block stored in the library, if the software version of the at least one project design block is older than the software version of the corresponding project design block stored in the library [*“By way of example, an EDA tool may have a complete version control system custom built into the central database... Also, an EDA tool may have built in support for several of the major and*

*most popular version control systems such as PVCS, RCS and SCCS."* (column 13, lines 4-17); *"With this linear list, it is possible to bring an old version to the end of the list and to thus, undo all the edits between the most recent version and the old version."* (column 13, lines 18-30)].

Regarding claim 12, Heile discloses erasing at least one of the references on the programming device, and blocking the replacement of such project design block corresponding to the erased reference [*"When version control is being used, files from one user's point of view may have the following states: default, locked, owned-write and owned-read only, although other file states are possible."* (column 14, lines 5-9); *"Having a file in this owned-read only state prevents any accidental writing to the file, and is useful if a user does not wish a file to be automatically updated."* (column 14, line 64, et seq.)].

Regarding claim 13, Heile discloses that the project is subdivided into a plurality of part projects, the part projects designed on a plurality of programming devices connected to each other [FIG. 1 and related description];

The user request is displayed on each programming device [*"Assignment file 462 is an ASCII text file located on disk in one embodiment. This file 462 contains a user readable version of the current state of assignments of the project, and may show the hierarchical path for each assignment."* (column 17, lines 54-64)]; and

The at least one project design block is replaced by the corresponding project design block stored in the library only if the user request is accepted by the users of all programming devices [*"Step 516 first determines whether file A has, in fact, been locked by the user requesting*

*to check it in. If the user requesting that file A be checked in had not locked file A, then in step 518 an error message is returned and the procedure ends. However, if the user is the same, then in step 520 file A is copied back up to the global work space and rewrites the older version of file A. In step 522, file A is changed from a locked state for that user to a default state. Finally, in step 524, the lock flag for file A for that user is cleared from the global work space. In this way, users may modify source files in a project design in a coordinated fashion."* (column 18, lines 53-65)].

Claims 14-17 recite a system for performing the method of claims 10-13. That system is disclosed by Heile [FIG. 1].

Claim 18 recites a device for performing the method of claim 10. That device is disclosed by Heile [FIG. 1].

### ***Conclusion***

Art considered pertinent by the examiner but not applied has been cited on form PTO-892.

US Patent No. 4,914,567 to Lipkis et al. describes a system that models a factory cell (column 1) and allows modification and testing of components in the modeled system without disturbing the real system (column 3).

US Patent No. 7,272,815 to Eldridge et al. describes a method and system for configuring industrial processes with a version control and security mechanisms supervising the development of files describing the industrial processes (abstract).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Proctor whose telephone number is (571) 272-3713. The examiner can normally be reached on 8:30 am-4:30 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez can be reached at (571) 272-3753. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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